

YEAS (56)			NAYS (39)		NOT VOTING (5)	
Republicans (53 or 100%)		Democrats (3 or 7%)	Republicans (0 or 0%)	Democrats (39 or 93%)	Republicans (2)	Democrats (3)
Abraham	Helms	Hollings		Akaka		
Allard	Hutchinson	Levin		Baucus		
Ashcroft	Hutchison	Robb				
Bennett	Jeffords					
Bond	Kempthorne					
Brownback	Kyl					
Burns	Lott					
Campbell	Lugar					
Chafee	Mack					
Coats	McCain					
Cochran	McConnell					
Collins	Murkowski					
Coverdell	Nickles					
Craig	Roberts					
D'Amato	Roth					
DeWine	Santorum					
Domenici	Sessions					
Enzi	Shelby					
Faircloth	Smith, Bob					
Frist	Smith, Gordon					
Gorton	Snowe					
Gramm	Stevens					
Grams	Thomas					
Grassley	Thompson					
Gregg	Thurmond					
Hagel	Warner					
Hatch						
					EXPLANATION OF ABSENCE: 1—Official Business 2—Necessarily Absent 3—Illness 4—Other	
					SYMBOLS: AY—Announced Yea AN—Announced Nay PY—Paired Yea PN—Paired Nay	

populated areas; many of those sites are near water supplies; many of those sites are in areas with seismic activity. They also favor enactment because the Government will be financially liable if it does not meet its contractual commitments to move the nuclear waste. Finally, they understand that leaving the waste where it is will result in a loss of 22 percent of the United States' electrical supply in the next couple of decades as nuclear plants run out of storage space and are forced to shut down early (environmentalists oppose moving the waste because they favor shutting down nuclear power plants; paradoxically, those plants were built at the urging of environmentalists, who initially favored nuclear power because it is a non-polluting fuel). Moving the waste to the storage site will not pose any difficulties--tons of high-level nuclear waste have been shipped all over America for decades, and are still regularly shipped.

Really the only valid argument against moving the waste is that it was unfair to pick Nevada as having the only site that could be evaluated for its suitability for permanently storing the waste, and to designate the Nevada Test Site as the default interim storage location. These decisions were made to end the incessant delays in building a storage facility. Nuclear utility customers have been taxed since 1982 to build the facility, which was supposed to have been completed in 1998. The citizens of Nevada are against these designations, as would be the citizens of any other State. Their perception is that putting the waste in Nevada will pose dangers for them. They are wrong, but it is natural to have that perception given the toxic nature of nuclear waste. Consequently, the Senators from Nevada have mounted determined filibusters against all efforts to store the Nation's nuclear waste in their State.

In this instance, they have mounted a filibuster against the motion to proceed to the House bill. They have made two basic procedural arguments against proceeding. First, they have charged that moving to this issue is an effort to kill the pending tobacco bill, because it would put that bill back on the calendar during the pendency of the nuclear waste bill. However, the Majority Leader has stated that it is his intent to move immediately back to the tobacco bill, which has been tied up for days by Democratic Senators' efforts to block a vote on the Gramm amendment to eliminate the marriage penalty. Members are trying to work out a compromise on that amendment; while negotiations proceed, we can wade through the filibusters on this bill. The Majority Leader has even propounded a unanimous consent request to require the Senate to return to the tobacco bill after disposing of the nuclear waste bill. Democratic Senators who favor passage of the tobacco legislation have objected, but not a single opponent of that legislation has any problems with that request. Thus, the procedural argument is invalid; no delay needs to occur. Our colleagues are just making the argument in an attempt to stop the bipartisan majority who favor this bill from passing it.

The second procedural argument our colleagues have made is that the House will not vote on this issue again this year. As evidence, they point to a press release by our Republican House colleague who is running for the Senate against the senior Senator from Nevada. In that press release, our House colleague, who also strongly opposes storing the Nation's nuclear waste in Nevada, wrote that Speaker Gingrich has assured him that the House will not vote on this issue again this year. Based on that assurance, the senior Senator from Nevada has insisted that we should not invoke cloture because his election opponent has already managed to kill any possibility of this bill being enacted. It is generous of our colleague to give his opponent that credit, but we have not heard from Speaker Gingrich on the accuracy of this claim. We think that this bill has such overwhelming support in the House that we will be able to prevail upon our House colleagues to go to conference and to produce a veto-proof conference report.

We probably will not prevail on this vote because our Democratic colleagues are attempting to make it a partisan vote. However, we will be back. A strong bipartisan majority supports this legislation, and a few changes have been negotiated that will increase its support. When a less partisan atmosphere prevails, we believe we will obtain cloture.

Those opposing the motion to invoke cloture contended:

Argument 1:

We oppose this bill for the same substantive reasons that we have opposed it on prior occasions, and we oppose it for two new procedural reasons as well. On substantive grounds, this bill will require the unsafe transportation of nuclear waste, which is perfectly safe where it is currently stored, to an arbitrarily picked site in Nevada, it will require the waste to be stored at that site even though it has not been determined that it will be safe to do so, and it will waive several environmental requirements to make it easier to decide that it will be safe to do so. On procedural grounds, agreeing to this motion to proceed will result in the tobacco bill being returned to the calendar. Every day 3,000 kids pick up the deadly habit of smoking. Every day that we delay in passing the tobacco bill will mean that many more children will be lured into smoking. If we let the tobacco bill be returned to the calendar, some Senators may then use delaying tactics to keep it there. Our second procedural objection is that passing the nuclear waste bill is a waste of time, because Speaker Gingrich has told Representative Ensign that the House will not vote on the issue again this year. In other words, the bill is already dead. We therefore urge Senators to oppose cloture.

Argument 2:

We support the Nuclear Waste Policy Act but the procedural arguments against it are compelling.